

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**MARVIN ANTONIO SUTTON, JR.,**

**Plaintiff,**

**v.**

**Case No. 6:20-cv-1962-Orl-18GJK**

**UNITED STATES SOCIAL  
SECURITY ADMINISTRATION,**

**Defendant.**

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**ORDER**

THIS CAUSE came for consideration on Defendant United States Social Security Administration's ("Defendant") Notice of Removal (Doc. 1) that was filed after Plaintiff Marvin Antonio Sutton, Jr. ("Plaintiff") filed a "Statement of Claim" against Defendant in the County Court of the Seventh Judicial Circuit in and for Volusia County, Florida. (*See* Doc. 1-1 at 5-7.) On October 26, 2020, the United States Magistrate Judge entered a Report and Recommendation (the "Report and Recommendation") (Doc. 6) recommending that Plaintiff's case be dismissed without prejudice. Having reviewed the Report and Recommendation (Doc. 6), and there being no timely objections filed, it is hereby **ORDERED** and **ADJUDGED** as follows:

1. United States Magistrate Judge Gregory J. Kelly's Report and Recommendation (Doc. 6) is **APPROVED** and **ADOPTED** and is made part of this Order for all purposes, including appellate review.
2. Plaintiff Marvin Antonio Sutton, Jr.'s Statement of Claim (Doc. 1-1 at 5-7) is **DISMISSED without prejudice.**

3. Plaintiff Marvin Antonio Sutton, Jr. is **GRANTED** leave to **file an amended complaint within 21 days** of the date of this Order. Failure to file an amended complaint within the time permitted will result in dismissal of the case without further notice.

**DONE** and **ORDERED** in Orlando, Florida on this 19 day of November, 2020.



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**G. KENDALL SHARP**  
SENIOR UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Party